

SUMMARY ACTION MINUTES

REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA



Tuesday, May 18, 1999, 9:30 A..M.

BOARD HEARING ROOM, FIRST FLOOR
10 Civic Center Plaza
Santa Ana, California

CHARLES V. SMITH
Chairman
First District

THOMAS W. WILSON
Vice Chairman
Fifth District

JAMES W. SILVA
Second District

TODD SPITZER
Third District

CYNTHIA P. COAD
Fourth District

ATTENDANCE: All members were present, except that Supervisor Spitzer was excused after item 66.

EXCUSED: None, except as noted above.

PRESENT:	COUNTY EXECUTIVE OFFICER	Janice M. Mittermeier
	COUNTY COUNSEL	Laurence M. Watson
	CLERK OF THE BOARD	Susan Novak, Assistant

INVOCATION: Supervisor Spitzer, Third District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Wilson, Fifth District, led the assembly in the Pledge of Allegiance to the Flag

I. PRESENTATIONS/INTRODUCTIONS

Chairman Smith introduced The Honorable Nicolae Florin Constantinescu, Consul General of Romania

Chairman Smith presented a resolution recognizing Emergency Medical Services Week

Supervisor Wilson presented the 1999 International Aviation Art Contest State winners

II. CONSENT CALENDAR (Items 1-52)

54231 **APPROVED AS RECOMMENDED WITH THE EXCEPTIONS OF ITEMS 14 AND 37 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE; ITEM 44 WHICH WAS MOVED TO THE DISCUSSION CALENDAR; ITEM 43 WHICH RECEIVED NO**

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VOTES FROM SUPERVISORS SPITZER AND WILSON; AND ITEMS 46, 47, 48, 49, 50, 51 AND 52 WHICH RECEIVED NO VOTES FROM SUPERVISOR SILVA.

BOARD APPOINTMENTS

Supervisor Wilson:

1. Reappoint Patricia Krone, Newport Beach, to the Human Relations Commission for a term ending 5/6/01 FILE 1100BCC
2. Reappoint Gary Hall, Newport Beach, to the Santa Ana Heights Project Advisory Committee for a term ending 5/20/02 FILE 19781BCC
3. Reappoint Ted Nichols, Santa Ana Heights, to the Santa Ana Heights Project Advisory Committee for a term ending 5/20/02 FILE 19781BCC
4. Reappoint Rita Jones, Newport Beach, to the Santa Ana Heights Project Advisory Committee for a term ending 5/20/02 FILE 19781BCC
5. Reappoint Jeffrey Hamilton, Newport Beach, to the Santa Ana Heights Project Advisory Committee for a term ending 5/20/02 FILE 19781BCC
6. Reappoint Richard Dayton, Newport Beach, to the Santa Ana Heights Project Advisory Committee for a term ending 5/20/02 FILE 19781BCC
7. Reappoint Greg Watkins, Newport Beach, to the Santa Ana Heights Project Advisory Committee for a term ending 5/20/02 FILE 19781BCC
8. Reappoint Linda Wooters, Newport Beach, to the Santa Ana Heights Project Advisory Committee for a term ending 5/20/02 FILE 19781BCC
9. Reappoint John McGregor, Santa Ana Heights, to the Santa Ana Heights Project Advisory Committee for a term ending 5/20/02 FILE 19781BCC
10. Reappoint Roger Summers, Newport Beach, to the Santa Ana Heights Project Advisory Committee for a term ending 5/20/02 FILE 19781BCC
11. Reappoint Mary Slouka, Newport Beach, to the Santa Ana Heights Project Advisory Committee for a term ending 5/20/02 FILE 19781BCC
12. Appoint Doug Root, Newport Beach, replacing Jerry Silsbee to the Santa Ana Heights Project Advisory Committee for a term ending 5/20/02 FILE 19781BCC
13. Appoint Davis P. Stieve, Santa Ana Heights, replacing Barbara Marcus to the Santa Ana Heights Project Advisory Committee for a term ending 5/20/02 FILE 19781BCC

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COMMENDATIONS/PROCLAMATIONS

Chairman Smith:

14. Adopt resolution commending Veterans Charities and United Veterans Organizations for opening of "The Building 12 Cafeteria" FILE 20853
23451 **APPROVED AS RECOMMENDED** R99-189
15. Adopt resolution proclaiming week of June 1 - 7, 1999 as "National Drug Court Week" FILE 20854
R99-190
16. Adopt resolution proclaiming month of May, 1999 as "Older Americans Month" and commending our older Americans for their many contributions FILE 20854
R99-191
17. Adopt resolution commending dedicated individuals who work throughout the year giving love and care to children in crisis and proclaiming month of May, 1999 as "Foster Family Month" FILE 20853
R99-192
18. **Supervisor Silva** - Adopt resolution recognizing Russell O. Lightcap for his outstanding contribution to the community of Rossmoor FILE 20860
R99-193
19. **Supervisor Coad** - Adopt resolution commending Medellas for its numerous contributions to the Asian-American and Orange County communities FILE 20853
R99-194

INTEGRATED WASTE MANAGEMENT DEPARTMENT

20. Approve agreement with Earth Tech, Inc. for architectural-engineering design and bid document preparation services, Olinda Alpha Landfill - District 3 (Continued from 4/20/99, Item 8) FILE 21210

ORANGE COUNTY PUBLIC LIBRARY

21. Approve consent to assignment of lease from David Thomas Hanna to Rietkerk Enterprises, LLC for operation of food and beverage concession, Aliso Viejo Branch Library; and make California Environmental Quality Act and other findings - District 5 FILE 21317
22. Approve submission of grant application for Families for Literacy program FY 1999/2000 - All Districts FILE 21318

PLANNING AND DEVELOPMENT SERVICES

23. Approve purchase of cluster servers from Falcon Computers, Inc. for permit system (\$41,710.02) - All Districts FILE 21319

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24. Approve Tract 15726, Stonefield Coto V, L.P., Coto De Caza area; approve construction agreement S399-2624; and accept bonds guaranteeing construction of improvements - District 5
FILE 21320
25. Approve Tract 15628, Shea Homes Limited Partnership; accept dedication for street purposes; accept easements for storm drain and access purposes; approve construction agreement S399-2619 and accept bonds guaranteeing construction of improvements - District 5
FILE 21321
26. Approve Tract 15722, Coto Property Holdings, Inc., Coto De Caza area; approve construction agreement S399-2620 and accept bonds guaranteeing construction of improvements; abandon easements for scenic purposes within boundaries of map which was acquired per Tract 14957 - District 5
FILE21322
27. Adopt resolutions supporting Metropolitan Water District of Southern California representation of urban water users for equitable rights and allocations of Colorado River water supplies and supporting Santa Ana Watershed Project Authority's projects to improve water quality in the Santa Ana River and urge State to fund projects with March, 2000 Water Bond; and direct Water Task Force to continue involvement with the National Water Research Institute in support of County Water Plan - All Districts (Continued from 5/11/99, Item 21)
FILE 21300
R99-195-196

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

28. Approve price agreement N1000001842 with Sunset Properties for arterial street sweeping, 5/12/99 - 5/11/00 (\$56,676); renewable for two additional years - All Districts
FILE 21323

Acting as the Orange County Flood Control District:

29. Approve purchase of two dump trucks from Golden State Ford Truck Sales to replace existing vehicles for maintenance and repair of flood control channels (\$211,160) - All Districts
FILE 21324
30. Approve purchase of crew truck from Western Truck Exchange to replace existing vehicle for operations and maintenance (\$89,242.80) - All Districts
FILE 21325
31. Approve purchase of emergency generator from Power Systems Associates to replace existing generator for storm center equipment, laboratory refrigerator and fume hood (\$17,520.26) - All Districts
FILE 21326
32. Accept work and approve notice of completion, Roy Allan Slurry Seal, Inc. for slurry seal of various streets; project completed 9/11/98 (\$360,827) - Districts 2, 3 & 4
FILE 19864
33. Approve purchase of truck from Fritts Fleet Ford to replace existing vehicle for stenciling roadways and parking areas (\$64,776.07) - All Districts
FILE 21327
34. Approve amendment 3 to agreement D96-016 with City of Anaheim for construction of Anaheim Downtown Community Center - District 4
FILE 17244

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35. Approve price agreement N1000001837 with Earth Concepts for landscape maintenance service, Sunset Beach, 5/19/99 - 5/18/00 (\$30,707); renewable for two additional years; and make California Environmental Quality Act findings - District 2 FILE 21328

SOCIAL SERVICES AGENCY

36. Approve consent to assignment and assumption agreement with CliniShare, Inc. and TrinityCare LLC for provision of multipurpose senior services program - All Districts FILE 21329
37. Approve expenditure of funds from SSA (\$31,426) and HCA (\$31,425) budgets for Medi-Cal Outreach Grant No. 98-15628 match requirement - All Districts FILE 21330
- 43251 **APPROVED AS RECOMMENDED**

PUBLIC PROTECTION

38. **District Attorney** - Approve price agreement S1000000210 with Deloitte & Touche LLP to provide analysis and systems selection for automated witness management system and requirements definition for a case management system, 5/18/99 - 9/30/99 (\$326,560) - All Districts FILE 21331
39. **Sheriff-Coroner** - Approve termination of emergency declared 1/26/99 at Intake/Release Center regarding sewage pipe failure - District 1 (Continued from 1/26/99, Item 27; 2/9/99, Item 37; 2/23/99, Item 31; 3/9/99, Item 23; 3/23/99, Item 42; 4/6/99, Item 30; 4/20/99, Item 27; 5/4/99, Item S52B) (4/5 vote) FILE 20947

GENERAL ADMINISTRATION

40. **Assessor Department** - Approve price agreement N1000001899 with CD-DATA for transfer of assessment roll data and maps to CD-ROM, 6/1/99 - 5/31/00 (\$24,000 per year); renewable for two additional years - All Districts FILE 21332

County Executive Office:

41. Approve increase of price agreement H000000029 with Altmayer Consulting, Inc. (\$95,400; new total \$307,400) and reduction of contract S0004069.98 with Management Partners, Inc. (\$98,000 dec.; new total \$400,350) for results oriented government project and related activities - All Districts FILE 19409/19850
42. **Acting as the Board of Supervisors, South Orange County Public Financing Authority and Assessment Districts 88-1 (Irvine Coast) and 92-1 (Newport Ridge)** - Approve agreement 99-016FA with Fieldman, Rolapp & Associates for financial advisory services - District 5 FILE 19366
43. Approve agreements 99-003FA with CSG Advisors Inc. and 99-008FA with Kelling, Northcross & Nobriga for financial advisory services - All Districts
- 421 35 **APPROVED AS RECOMMENDED** FILE 21333
NN

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44. Approve agreement with Superior Court for use of disputed revenue not specifically addressed by Lockyer-Isenberg Trial Court Funding Act of 1997 (AB 233) and ratification of County Executive Officer execution of same and approve related budget adjustments - All Districts
FILE 21334

14235 **APPROVED AS RECOMMENDED**

Chairman Smith:

45. Approve Housing and Community Development Grant funds to Veterans Charities of Orange County and make appropriate findings (\$15,000) FILE 21335
46. Approve Community Social Program Grant funds to the Mitchell Child Development Center; approve budget adjustments and make appropriate findings, 5/18/99 - 6/30/99 (\$2,000)
5431 2 **APPROVED AS RECOMMENDED** FILE 21336
N
47. Approve Community Social Program Grant funds to the Northcutt PTA; approve budget adjustments and make appropriate findings, 5/18/99 - 6/30/99 (\$1,000)
5431 2 **APPROVED AS RECOMMENDED** FILE 21337
N
48. Approve Community Social Program Grant funds to the M.O.M.S. Resource Center; approve budget adjustments and make appropriate findings, 5/18/99 - 6/30/99 (\$5,000)
5431 2 **APPROVED AS RECOMMENDED** FILE 21338
N
49. Approve Community Social Program Grant funds to the KinderCaminata; approve budget adjustments and make appropriate findings, 5/18/99 - 9/30/99 (\$3,000)
5431 2 **APPROVED AS RECOMMENDED** FILE 21339
N
50. Approve Community Social Program Grant funds to the Acacia Adult Day Service; approve budget adjustments and make appropriate findings, 5/18/99 - 6/30/99 (\$3,000)
5431 2 **APPROVED AS RECOMMENDED** FILE 21340
N
51. Approve Community Social Program Grant funds to the Abrazar Inc.; approve budget adjustments and make appropriate findings, 5/18/99 - 6/30/99 (\$3,000)
5431 2 **APPROVED AS RECOMMENDED** FILE 21341
N
52. Approve Community Social Program Grant funds to the Westminster School District Foundation Educational Excellence; approve budget adjustments and make appropriate findings, 5/18/99 - 6/30/99 (\$2,000)
5431 2 **APPROVED AS RECOMMENDED** FILE 21342
N

END OF CONSENT CALENDAR

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III. DISCUSSION ITEMS (Items 53-68)

COMMUNITY SERVICES AGENCY

53. Approve submission of grant application to State Employment Development Department for Job Training Partnership Act Title III Governor's Reserve Rapid Response assistance funds, 7/1/99 - 6/30/00 - All Districts
FILE 21343
- 34251 **APPROVED AS RECOMMENDED**
54. Approve Job Training Partnership Act customized firefighter training agreement for dislocated El Toro/Tustin MCAS federal civilian firefighters, 10/1/98 - 6/30/00 (\$10,000 per participant); and adopt fire service agency training provider list - All Districts
FILE 21121
- 35241 **APPROVED AS RECOMMENDED**
55. Approve amendments to agreements with Feedback Foundation, Inc. (\$28,557; new total \$2,302,605), City of Irvine (\$32,567; new total \$102,790), South County Senior Services, Inc. (\$206,497; new total \$1,032,112) and Adult Day Services of Orange County (\$20,625; new total \$80,000) for meals and supportive services to seniors - All Districts
FILE 19969
- 24351 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

56. Approve agreement with City of Santa Ana to provide supportive social services and emergency housing services for persons living with HIV/AIDS, 5/18/99 - 6/30/01 (\$1,575,000) - All Districts
- 24351 **APPROVED AS RECOMMENDED** FILE 21344
57. Approve agreements with Free Health Plan, Gary Center, Laguna Beach Community Clinic, Mission Hospital's Camino Health Center, Nhan Hoa Comprehensive Health Care Clinic, Puente a La Salud, Share Our Selves Free Medical and Dental Clinic, and VNCOC Asian Health Center for provision of augmented access to health care services, 6/1/99 - 6/30/00 (\$608,402) - All Districts
- 13245 **APPROVED AS RECOMMENDED** FILE 21345

INTEGRATED WASTE MANAGEMENT DEPARTMENT

58. Receive bids, relieve GCI Corporation, Inc. of their bid, and award contract to Macro-Z Technology Company for construction of westerly perimeter storm drain and access road, Olinda Alpha Landfill (\$1,218,450) - District 3
FILE 21034
- 34251 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

59. Approve plans and specifications and set bid opening for 6/16/99, 2:00 p.m., for acoustical insulation program for 22 single family residences in Santa Ana Heights and Newport Beach - District 5
- 52341 **APPROVED AS RECOMMENDED** FILE 21346

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

60. Approve and adopt revised Transportation Internal Service Fund billing rates for FY 1998-99 to recover costs - All Districts (Continued from 4/20/99, Item 42; 5/4/99, Item 45)
FILE 21234
- B.O. **CONTINUED TO 6/8/99, 9:30 A.M.**

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61. Consider second reading and adoption of "An Ordinance of the Board of Supervisors of the County of Orange Granting to Nuevo Energy Company, A Delaware Corporation, A Franchise to Construct, Operate and Maintain Pipelines for the Transportation of Hydrocarbon Substances in the County of Orange" - Districts 2 & 4 (first reading 5/11/99, Item 44) FILE 21316

24351 **APPROVED AS RECOMMENDED**

62. Approve price agreement N1000001835 with Earth Concepts for landscape maintenance service, Yorba Regional Park, 5/19/99 - 5/18/00 (\$177,111); renewable for two additional years; and make California Environmental Quality Act findings - District 4 FILE 21347

42351 **APPROVED AS RECOMMENDED**

SOCIAL SERVICES AGENCY

63. Approve contract awards with People for Irvine Community Health for maintaining information and referral database (\$65,925) and Exchange Club Child Abuse Prevention Center, DBA: Orange County Child Abuse Prevention Center for development of resources to serve SSA families (\$130,000), 7/1/99 - 6/30/00 - All Districts FILE 21348

4521 3 **APPROVED AS RECOMMENDED**

A *[Supervisor Spitzer abstained from voting as he is a board member of the Orange County Child Abuse Prevention Center.]*

PUBLIC PROTECTION

64. **District Attorney** - Approve amendments to master position control to add five limited-term positions for prosecution of underground storage tank enforcement cases; and approve related budget adjustments - All Districts (4/5 vote) FILE 21349

34251 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

65. **Acting as the Board of Supervisors and the Legislative Body of Community Facilities District No. 99-1 of the County of Orange (Ladera Ranch)** - Adopt resolution declaring election results to establish Community Facilities District No. 99-1 and incur bonded indebtedness (\$25,000,000) and directing filing of a validation action; adopt "An Ordinance of the Board of Supervisors of the County of Orange, State of California, Acting in its Capacity as the Legislative Body of Community Facilities District No. 99-1 of the County of Orange (Ladera Ranch) Authorizing the Levy of a Special Tax Within Community Facilities District No. 99-1 of the County of Orange (Ladera Ranch)" - All Districts FILE 21055

53241 **APPROVED AS RECOMMENDED**

R99-197

O99-09

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66. **Acting as the Board of Supervisors and MCAS Local Redevelopment Authority** - Approve Flight Demonstration Program and agreements with various air carriers at MCAS El Toro; approve price agreement S1000000209 with Mercury Air Group, Inc. for fuel and ground handling services (not to exceed \$200,000); authorize Auditor-Controller to reimburse lodging and meal expenses for staff assigned to work on the flight demonstration; and make California Environmental Quality Act and other findings- All Districts
142 35 **APPROVED AS RECOMMENDED** FILE 18705
NN
67. Approve amendments A, B and C to agreement with P&D Aviation for preparation of the MCAS El Toro/John Wayne Airport System Master Plan and related documents (A-\$686,226; B-\$679,327; and C-\$298,153) - All Districts
412 53 **APPROVED AS RECOMMENDED** FILE 18705
NX

EXTERNAL RESTRUCTURING PROGRAM FOR THE COUNTY OF ORANGE

68. At this time Members of the Board of Supervisors and/or the County Executive Office may report on and discuss activities related to the External Restructuring Program for the County of Orange, including approval of the final Revenue Neutrality Agreement for the Rancho Santa Margarita Incorporation Proposal - All Districts
RECEIVED AND FILED FILE 20883
- S68A. **Sheriff-Coroner** - Approve declaration of emergency at James A. Musick Jail for failure of natural gas lines, authorize emergency agreements for replacement and make appropriate findings, effective 4/30/99 and terminate on 6/1/99 – District 5
5241 3 **APPROVED AS RECOMMENDED** FILE 21350
X

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IV. PUBLIC HEARINGS (Items 69-70) 9:30 A.M. OR AS SOON THEREAFTER

PLANNING AND DEVELOPMENT SERVICES

69. Public Hearing to consider first readings of "An Ordinance of the County of Orange, California, Repealing the Uniform Building Code, 1994 Edition; Repealing the Uniform Building Code Standards, 1994 Edition; Repealing Ordinances 3953, 3960 and Adopting by Reference the California Building Code, 1998 Edition and the Uniform Building Code, 1997 Edition, with Appendix and Amendments Thereto; and adopting the California Building Standards Code, 1998 Edition"; "An Ordinance of the County of Orange, California, Repealing the 1994 Edition of the Uniform Plumbing Code and Adopting by Reference the 1997 Edition of the Uniform Plumbing Code and the California Plumbing Code, 1998 Edition, Including Appendices, with Amendments Thereto"; "An Ordinance of the County of Orange, California Repealing the 1994 Edition of the Uniform Mechanical Code and Adopting by Reference the Uniform Mechanical Code, 1997 Edition and the California Mechanical Code, 1998 Edition, with Modifications and Amendments Thereto"; "An Ordinance of the County of Orange, California, Repealing Uniform Housing Code, 1994 Edition and Adopting by Reference the Uniform Housing Code, 1997 Edition with Certain Exceptions and Amendments Thereto"; "An Ordinance of the County of Orange, California Repealing the National Electrical Code, 1993 Edition, and Adopting by Reference the National Electrical Code, 1996 Edition and the California Electrical Code, 1998 Edition with Amendments Thereto"; and set second readings and adoptions for 5/25/99, 6:00 p.m. - All Districts

B.O. PUBLIC HEARING CLOSED

FILE21351

2541 3 APPROVED AS RECOMMENDED

X

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

70. Public Hearing to consider adopting resolution establishing Cove Road Underground Utility District 37 to convert existing aerial utility facilities to underground locations along Cove Road from Green Lantern to Dana Point Harbor Drive - District 5 (Public Hearing set on 4/27/99, Item 16)

Clerk read into the record that two letters were submitted on this item and are part of the official record.

FILE 21246

R99-198

B.O. CLOSED PUBLIC HEARING

5421 3 APPROVED AS RECOMMENDED

X

V. CLOSED SESSION : (None)

VI PUBLIC, BOARD COMMENTS AND EMAIL AND ADJOURNMENT:

PUBLIC COMMENTS:

Gloria Lopez and Christy Whitwork – Oral RE: appreciation to the Board of Supervisors for the donation of computers to Anaheim Colonia Independencia

BOARD COMMENTS:

Chairman Smith – Oral RE: the Governor's May Revisions to the proposed State budget

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ADJOURNMENT:

Chairman Smith adjourned the meeting in the memory of Hector Godinez.

ADJOURNED: 12:17 P.M.

*** KEY ***

Left Margin Notes

- 1. v Chairman Smith
- 2. v Supervisor Silva
- 3. v Supervisor Spitzer
- 4. v Supervisor Coad
- 5. v Supervisor Wilson

- A. v Abstained
- X. v Excused
- N. v No
- BO v Board Order

Right Margin Notes

- O. v Ordinance
- R. v Resolution

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

CHARLES V. SMITH, CHAIRMAN
Orange County Board of Supervisors

SUSAN NOVAK, ASSISTANT
Orange County Clerk of the Board